

STATEMENT OF PURPOSE

RS22466

This bill amends section 32-717D, Idaho Code, by adding a subsection which would give the court the discretion to award attorney's fees and costs to the prevailing party on a motion to set aside or modify the decision of a parenting coordinator. Under section 32-717D, Idaho Code, a court that has entered a judgment or order establishing child custody may appoint a parenting coordinator to report to the court on issues relating to the custody of the child, to engage in collaborative dispute resolution in parenting, and to perform other duties specified by the court, consistent with the court's orders regarding the child. The decisions of the parenting coordinator may sometimes be challenged by the parties. However, repeated challenges can erode the effectiveness of the parenting coordinator, absorb family resources, and bring further uncertainty into the life of the child. The Idaho Supreme Court's Children and Families in the Courts Committee has recommended that a provision be added to the statute stating that the court may award attorney's fees and costs to the prevailing party on a motion to set aside or modify the decision of a parenting coordinator. Giving the court discretion to make such an award will help to promote stability for the family and provide some deterrent against the filing of needless motions.

FISCAL NOTE

There is no impact on the state general fund.

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